

## Minutes



**MAJOR** Applications Planning Committee

**23 May 2018**

**Meeting held at Committee Room 5 - Civic Centre, High Street, Uxbridge**

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|    | <p><b>Committee Members Present:</b><br/>Councillors Eddie Lavery (Chairman), Ian Edwards (Vice-Chairman), Alan Chapman, John Morse, John Oswell, Devi Radia, Steve Tuckwell, David Yarrow and Jazz Dhillon</p> <p><b>LBH Officers Present:</b><br/>James Rodger (Head of Planning and Enforcement), Glen Egan (Office Managing Partner - Legal Services), Mandip Malhotra (Strategic and Major Applications Manager), Richard Phillips (Principle Planning Officer), Richard Michalski (Transport and Highways Officer) and Neil Fraser (Democratic Services Officer)</p> |
| 4. | <p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies were received from Councillor Janet Gardner. Councillor Jazz Dhillon was present as her substitute.</p>  |
| 5. | <p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>Councillor Dhillon declared a pecuniary interest in respect of Item 7 – Building 3, Hyde Park, Hayes, as he had just taken office space at the location. Councillor Dhillon confirmed that he would leave the room when the item was due for determination.</p>   |
| 6. | <p><b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETINGS</b> (<i>Agenda Item 3</i>)</p> <p><b>RESOLVED:</b> That the minutes of the meetings held on 5 April and 10 May 2018 be agreed as a correct record.</p>  |
| 7. | <p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>   |
| 8. | <p><b>TO CONFIRM THAT THE ITEMS MARKED IN PART 1 WILL BE CONSIDERED INPUBLIC AND THOSE ITEMS MARKED IN PART 2 WILL BE HEARD IN PRIVATE</b> (<i>Agenda Item 5</i>)</p> <p>It was confirmed that all agenda items were marked as Part I, and would therefore be considered in public.</p>  |

9. **OLD COAL DEPOT, TAVISTOCK ROAD - 18736/APP/2018/628** (*Agenda Item 6*)

**Change of use to provide a Civic Amenity Site (part retrospective) accommodating public recycling area with circular route and in and out access arrangement, trade waste area and storage areas with associated container storage, site and welfare offices and installation of palisade fencing and gates for a 5 year period (8:00 to 18:00 hours - Mondays to Fridays and 9:00 to 17:00 hours - Saturdays, Sundays and Bank /Public Holidays (subject to seasonal variation)).**

Officers introduced the report, and highlighted the addendum which contained clarifications of existing conditions and minor amendments to plans, together with the addition of new conditions relating to a level crossing on site and a condition relating to the site being Council owned. It was confirmed that most Committee Members had attended a site visit within the previous week, and so were aware of site access.

Officers highlighted the new site layout, access route, and a site constraints plan which confirmed that the site was a designated industrial business area. It was confirmed that there was an emerging site allocation looking to redevelop the entire parcel of land, which proposed to remove the site from the industrial business area and provide a residential led mixed-use development.

The site formed part of the former Coal Yard Depot site, with which there was an existing arrangement allowing the operation of an existing civic amenity for 28 days per year, known as the 'golden weekend'. This referred to the opening of the site for a Saturday and a Sunday each month, to provide specific amenities.

The proposal to be determined would permit the use of the site for a temporary period of five years only, but to be used as a civic amenity site on a seven day a week basis. Vehicles would enter the site via a circular route to take them efficiently through the site, before disposing of waste. Waste would be separated for different types of materials. An existing weighbridge would be used to service the trade waste, and the site was expected to handle up to 48,000 tonnes of waste per year, with proposed opening hours of 8 a.m. to 6 p.m. Monday through Fridays, and 9:00 a.m. to 5:00 p.m. for Saturdays, Sundays and Bank Holidays.

Trade waste was a common service or feature of civic amenity sites, and was predominantly aimed at small businesses (such as builders or gardeners) to provide drop-off for small loads. It was proposed to be capped that trade waste could not exceed 10,000 tonnes per annum, which was included within the 48,000 tonne allowance of waste across the whole site.

It was confirmed that the Council's environmental services waste team required a service to the south of the Borough. Currently, there was only one civic amenity site, at the New Year's Green Lane site in the north of the Borough. The application, for a temporary period of five years while the site allocations for the wider proposals for the redevelopment of the site were processed, would allow the site to be utilized for civic amenity servicing for the south of the Borough, providing a seven day a week service. As the proposals were only temporary, they would not prejudice the long-term future aspirations of the Council, and potentially that of the landowner, for redevelopment of the site.

The impact of the additional vehicle movements generated by the development were not considered to be significant, and it was expected that there would be a reduction in

overall journeys which were currently made by Borough residents traveling to New Year's Green Lane to dispose of their civic waste.

A site waste management plan was proposed and was designed to reflect some of the proposals currently in place at the New Year's Green Lane site, including ensuring that vehicles were directed in the most efficient manner to dispose of their waste and leave the site as quickly as possible. Employees would be on site during opening hours, and it was proposed, by way of the site waste management plan, that the applicant would be required to record peak site usage and report that on the Council's website.

A level crossing was currently present on site. Operatives would close the facility when the crossing was in use, which was for two train movements per day.

Officers concluded by confirming that the application was recommended for approval.

A petitioner addressed the Committee in objection to the application, key points of which included:

- The petitioner was speaking on behalf of the many hundreds of residents who had signed a petition asking the Committee to refuse the planning application.
- The application site was in close proximity to an increasingly crowded residential area, within metres of congested roads, and it was an unfair and deeply flawed application.
- The proposed total of 48,000 tonnes of waste per annum was much higher than the 29,000 tonnes dealt with at the site in Harefield.
- The report did not include an important detail in that, while the site operation would be restricted to 8:00 a.m. to 6:00 p.m., there was no mention that it would operate for 362 days a year, which equated to a 95% increase in the operating time over the present arrangement.
- The report failed to mention that 10,000 tonnes out of the 48,000 tonnes of waste per annum was to be trade waste not household rubbish, which would fall to Powerday to process rather than the Council.
- The report did not mention Powerday but there had been confirmation from the Deputy Leader of the Council that Powerday was to run the waste treatment operation.
- The plan showed the civic amenity was 2,500 metres squared, and the operation waste site was some three times bigger, at 7,500 metres squared, which was out of proportion.
- There was concern that if the application were to be approved, Powerday would be able to erect a large building, as the environmental agency insisted that waste separation must be conducted inside buildings.
- The inspector's public examination of the West London Waste Plant had said this site was unsuitable for any waste activities.
- There had been two applications submitted by Powerday, in which Network Rail had made strong objections. However, it was unknown if Network Rail had been approached and informed that the proposed application would result in a 95% increase in the people that would be walking across the level crossing.
- Regarding the measurements of the site, published plans stated that the site would total 9,663 square metres, and should include a boundary totalling 400 metres squared, as without that boundary there was no way in or out of the facility the facility from the weighbridge. This would mean that the application site would total over 1 hectare, and would require the Mayor of London to be the final arbitrator for the application.

The petitioner concluded by requesting that the application be refused.

Before opening the item for debate, the Chairman clarified that a waste separation site was not being proposed. An amended plan had been issued to the Committee earlier in the week, to correct an error in the published plans. The revised plan omitted the words 'waste separate area' for clarity, as set out in the addendum.

Officers discussed the 'red line' present on the plans. The line was present to show the area necessary to weigh the waste on site, which in turn allowed for the requisite charges to be issued. After weighing, trade waste would be deposited at a different location on site, which would require the internal relocation of an office building. The 'red line' was part of a set of plans submitted by the applicant, which showed a site that they said they would be able to operate the service within. If it proved that the applicant was unable to carry out the service within that 'red line' boundary, they would be required to submit new plans showing a different 'red line' boundary.

Officers clarified that, contrary to the petitioner's suggestion that the 10,000 tonnes of trade waste would not be 'Council' waste, the trade waste was to be Hillingdon waste, to be managed and recorded by employees working on behalf of the Council.

Councillor Oswell asserted that he had not received the revised plan with the removal of the 'waste separation area', and on the basis that the plans that he had received were incorrect, moved that the application be refused. The Chairman held this until a full discussion had taken place.

Members requested clarity on how the site was to function if the 'red line' was as set out on the plans, inclusive of the road approach. In response, it was clarified that the weighbridge was within the 'red line' of the site. Vehicles would be able to turn from the weighbridge back into the site, and through to deposit waste before exiting the site, via a one-way system.

Members requested clarity on the site's exclusion from the West London Plan, and the potential for congestion on the main road due to the closure of the level crossing when trains were passing.

Officers confirmed that the site was already designated as an industrial business area, whose use would result in a number of heavy goods vehicles frequenting the site. The Council's emerging Local Plan Part 2 would look to re-designate the site, but as the application was for temporary use over five years, it was not felt that the application prejudiced that Local Plan, and as per the Council's requirements for the provision of housing, the site was listed for housing development over the next 5-10 years.

With regard to the level crossing, Officers highlighted page 3 of the addendum, which showed an average of two trains per 24 hour period. In addition, during the recent site visit, Members had estimated that approximately 25 additional cars could be accommodated between Tavistock Road and the level crossing location.

Members requested details on whether congestion and the gated level crossing constituted a risk in the event of an emergency, such as a fire. Officers confirmed that when lowered, the gate would be down for only a matter of minutes, and that the low frequency of trains (2 per 24 hours) meant that there were no highways safety concerns. In addition, Network Rail had been consulted, and had not raised any concerns. A risk assessment had not been carried out on the level crossing, as this

had not been requested by Network Rail.

During discussion, it was highlighted that this was not a wholly new scheme, but an extension to an existing scheme that already ran well. The 'golden weekends' had proved to be a success, and had operated for a number of years without incident or concern.

Members were mindful of residents' concerns over increased traffic and congestion, and requested further information regarding the intensification of use, particularly if the upper limit of 48,000 tonnes of waste were to be reached.

Officers highlighted page 26 of the report, which compared the proposed site to a similar site within Kingston. The Kingston site had a comparable tonnage to that proposed within the application. It was estimated that the site would be visited by an average of approximately 83 cars per hour, and while this would impact on the nearby junction, traffic assessments undertaken at that junction had resulted in confidence that the junction could successfully accommodate such an increase in vehicles. It was stressed that this anticipated level of traffic generation was likely to be reduced given the extended opening hours of the site which would inherently dilute some of the predicted activity on an hourly basis.

Pages 8 and 9 of the officer's report were highlighted, and Members raised concerns that the site would result in an increase in carbon dioxide emissions and poor air quality, as well as have a detrimental effect on traffic flow and congestion.

When considering air quality, officers highlighted that currently, residents were having to travel to Harefield to deposit their waste, which was a longer journey that would result in significant emissions.

Clarity was requested on who exactly would be running the site. Officers confirmed that the application was submitted by Hillingdon Council, and that while Powerday would be involved in the running of some aspects of the site, the conditions within the report and addendum set out that the site would be controlled by the Council.

Councillor Oswell's motion that the application be refused was seconded and put to a vote, which was lost by a vote of 5 to 3.

Members asserted that fly tipping and other issues had increased, and that it was incumbent on the Council to provide adequate facilities for residents to safely dispose of their waste. The application was for extending the use of an existing service, and felt the principle of the development was appropriate as set out in the officer's report. On this basis, the officer's recommendation was moved, subject to the amended plans and conditions as set out by officers and in the addendum. This was seconded, and when put to a vote, carried by a vote of 5 to 3.

**RESOLVED: That the application be approved, subject to the conditions as set out in the addendum and the addition of a condition relating to the application site being owned by London Borough of Hillingdon.**

10. **BUILDING 3, HYDE PARK, HAYES - 67702/APP/2018/920** (*Agenda Item 7*)

**Prior approval change of use from office (Class B1(A)) to residential (Class C3) to provide 157 units**

Officers introduced the report and addendum, which contained various amendments for clarity, together with an amendment to condition 1.

Members were reminded that the application was for prior approval, and so grounds for assessing prior approval were limited to transport and highways impacts, contamination risks, flooding risks, and the impact of noise from commercial premises on the intended occupiers.

The Committee was informed that the application had been assessed by various specialists, and it had been deemed that the proposals were acceptable. However, regarding the highways and transport impacts of the development, it had been deemed that there were mitigation measures required which had been addressed within the heads of terms, namely the provision of a full travel plan, an obligation to secure the auditing of the travel plan, a £20k fund bond for the travel plan, and £60k fund towards improving the safety and convenience for walking and cycling to the cross rail station and Hayes town centre. In addition, the Council was securing conditions to prevent future residents from applying for parking permits within existing and future parking management schemes within Hayes.

An additional condition was set out in the addendum that related to electric vehicle charging points. Officers clarified that the electric vehicle charging provision being requested would also include 7 motorcycle parking bays, based on the standard ratio of 1 motorcycle bay per 20 car parking spaces.

Officers concluded by stating that it was recommended that Members agree that prior approval was not required, subject to the legal agreement and heads of terms. The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.

**RESOLVED: That the application be approved, subject to the conditions as set out in the addendum and clarification of the number of motorcycle parking bays, as outlined.**

11. **MAPLE AND POPLAR DAY CENTRE - 43762/APP/2018/396** (*Agenda Item 8*)

**Demolition of vacant Maple and Poplar Day Centre and construction of 34 no. 2 Bed / 4 Person Flats in 2 no. 3 storey new builds.**

Officers introduced the report and highlighted the addendum, which contained clarifications and suggested additional conditions. Officers confirmed the full wording of condition 1, which had been omitted from Committee papers.

Officers confirmed that the proposal involved the demolition of the existing single-story former Day Centre building and its replacement with 2 three-story blocks of flats, accommodating 34 residential units, 100% of which were to be affordable housing, positioned around a central car parking area.

All units would be served by a central core and were provided with individual balconies. The units were contemporary in design, which was not significantly out of character with the area, as there was a similar flatted development within the locality. The buildings on the site had been in use until 2016, and had been vacant since, as the provision of the care facilities had been provided elsewhere within the vicinity of the application site.

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|     | <p>Each building would accommodate 17 two-bedroom affordable housing units, delivering 100% affordable housing, made up of 50% Council rented and 50% shared ownership units. The site provided one car parking space for each property in accordance with Council's parking standards. The private and communal amenity space requirements of the site were in excess of the Council's policy requirements, and accordingly the application was recommended for approval.</p> <p>Members sought clarity on the approved layout as set out on the plans. Officers confirmed that the plans were annotated to show that the units were mirrored, and therefore that the plans were set out correctly.</p> <p>Members sought clarity on how the Council was introducing energy saving schemes in such developments. Officers confirmed that the Council's Sustainability and Renewable Energy officer maintained an overview of such schemes in line with a wider fund that the Council was accumulating.</p> <p>The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.</p> <p><b>RESOLVED: That the application be approved, subject to the conditions as set out in the addendum and verbal update.</b></p> |
| 12. | <p><b>GRAND UNION OFFICE PARK - 1197/APP/2018/1676</b> (<i>Agenda Item 9</i>)</p> <p><b>Deed of Variation (DoV) to the S106 Legal Agreement for planning permission ref: 1197/APP/2015/4164 dated 13/12/16 (Demolition of Block C and end of Block B and erection of four 5-storey replacement buildings; extensions to Blocks A and B; car parking; landscaping; and associated development) to modify Schedule 3 (canal landscaping/improvement works), Schedule 5 (highway works) and Schedule 8 (car club).</b></p> <p>The report was introduced and the addendum was highlighted, which contained a minor change to the recommendation to correct a typing error in part 3 of the recommendation, requesting that officers be delegated authority to negotiate and agree the final wording of the Deed of variation/Legal Agreement.</p> <p>The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.</p> <p><b>RESOLVED: That the application be approved, subject to the addendum.</b></p>  |
|     | <p>The meeting, which commenced at 6.00 pm, closed at 7.10 pm.</p>   |

These are the minutes of the above meeting. For more information on any of the resolutions please contact Neil Fraser on 01895 250692. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

**The public part of this meeting was filmed live on the Council's YouTube Channel to increase transparency in decision-making, however these minutes remain the official and definitive record of proceedings.**